

# Notice of Allowability

Application No.

10/556,348

Examiner

Ha D. Ho

Applicant(s)

BUCHER ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed 12/20/05.
2. ☒ The allowed claim(s) is/are 17-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 02/10/06 & 11/09/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bujold on 9/19/07.

3. The application has been amended as follows:

#### **In Specification**

- On page 4, paragraph 024, "another" has been changed to --a second embodiment of a--.
- On page 4, paragraph 025, "another" has been changed to --a third embodiment of a--.
- On page 4, paragraph 026, "another" has been changed to --a fourth embodiment of a--.
- On page 4, paragraph 027, "another" has been changed to --a fifth embodiment of a--.
- On page 4, paragraph 028, "another" has been changed to --a sixth embodiment of a--.
- On page 4, paragraph 029, "another" has been changed to --a seventh embodiment of a--.
- On page 5, the second to last line, "another" has been changed to --a--.
- On page 5, the second to last line, --1-- has been inserted after "consumer".

#### **In Claims**

- Claim 17, line 17, "a brake" have been changed to --the first shifting component is a brake which--.
- Claim 17, line 18, "a clutch" have been changed to --the second shifting component is a clutch which--.

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- Claim 17, line 21, “further” has been deleted.
- Claim 17, the last line, “the” has been changed to --a--.
- Claim 19, lines 1-2, “first shifting component (5) is a” have been deleted.
- Claim 19, line 2, “, which” have been deleted.
- Claim 19, lines 2-3, “second shifting component (6) is a” have been deleted.
- Claim 19, line 3, “, which” have been deleted.
- Claim 20, line 5, “consumers (2, 3)” has been changed to --said another consumer (3)--.
- Claim 22, line 2, “another” has been changed to --said--.
- Claim 23, line 1, “the other” has been changed to --said--.

4. The following is an examiner’s statement of reasons for allowance: The prior art of record does not disclose or render obvious a motivation to provide for a device for the hydraulic control of a CVT as defined by the limitations of claim 17; including a forward/reverse drive unit being shifted by at least first and second shifting component, which are pressurized by at least two valves via a pump, third and fourth valves, a third pressure regulator, a first solenoid valve, and a consumer; wherein the first valve is controlled by a first pressure regulator valve and adjusts pressure with which the first and second shifting components are pressurized, along with the second valve that selects which of the first and second shifting components will be pressurized with an output pressure of the first valve; the first shifting component is a brake which is pressurized via the third valve and the second shifting component is a clutch which is pressurized via the fourth valve; the third pressure regulator valve controls the fourth valve and the consumer, the first solenoid valve controls the third and fourth valves, and the third and fourth valves are used to select whether

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the first and second shifting components that are connected in series in each case shall be pressurized with the output pressure of the first valve.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Cited Prior Art*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Itou et al'165, Itou et al'991, and Itou et al'131 which each shows a hydraulic control for an automatic transmission including valves for actuating the clutches/brakes.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha D. Ho whose telephone number is 571-272-7091. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/HDH/  
(571) 272-7091  
September 19, 2007

/Ha D. Ho/  
Primary Examiner, A.U. 3681